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C O N F I D E N T I A L SECTION 01 OF 02 BELGRADE 001537

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TAGS: [PGOV](#) [PHUM](#) [PREL](#) [SR](#) [YI](#) [MW](#)  
SUBJECT: SERBIA: S/WCI WILLIAMSON'S VISIT TO BELGRADE, SEPT  
12-14

Classified By: AMBASSADOR MICHAEL C. POLT PER REASONS 1.4 (B) and (D).

11. (C) Summary: During a September 12- 14 visit to Belgrade, Ambassador-At-Large for War Crimes Williamson noted lack of significant progress on ICTY Action Plan with Prime Minister Kostunica, President Tadic as well as with Action Plan Co-Coordiators Rasim Ljajic and Vladimir Vukcevic. Williamson reviewed his recent discussions with ICTY prosecutor Del Ponte, and the decision to temporarily delay her report to the UN, urging the GoS to seize the initiative and do more on a number of fronts before her likely report to the UN/EU in mid-October. End Summary

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Kostunica and Tadic  
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12. (C) In separate meetings, Ambassador Williamson told Kostunica and Tadic that he agreed with Prosecutor Carla del Ponte,s decision to delay her September 14 report to EU Ministers on Serbia's compliance, as a way of giving some additional time to ongoing efforts to make progress on aspects of the GOS Mladic action plan. Williamson stressed that "the measure of full cooperation" is the same for Serbia as it was with Croatia and that Mladic's arrest or substantive evidence of his location are prerequisites for Serbia's next steps towards EU accession. The USG shared ICTY concerns about lack of GOS progress on various fronts including: (1) pending legislation (blocked by Justice Minister Stojkovic) granting Action Plan Coordinators, access to investigative and intelligence files (BIA and VBA) to allow for prosecution of those arrested in the Mladic support network; (2) cooperation between BIA and VBA; (3) Kostunica's public support for Mladic,s immediate arrest and; (4) weekly reports from Serbian Coordinators to the ICTY on implementation of the Action Plan.

13. (C) Both Kostunica and Tadic complained about Del Ponte's statements on September 7, which accused Belgrade of a lack of political will to arrest Mladic. Such charges they claimed were unhelpful and inconsistent with Del Ponte's earlier statements supporting the Action Plan. If Del Ponte still had doubts about Belgrade's will, Kostunica observed, we still have our own doubts about her motives." Kostunica welcomed Del Ponte's decision to delay her report to the EU and asserted that the GOS was doing all it could to apprehend Mladic. He sidestepped concerns on pending legislation and references to Stojkovic,s continuing efforts to block Vukcevic,s ability to prosecute those implicated in the Mladic support network.

14. (C) The Prime Minister framed public support for ICTY

cooperation in pragmatic, not moral, terms, noting that "Serbs doubt justice at The Hague." Asserting that Croats, Kosovo Albanians and Bosnians are held to a different standard than Serb indictees, the Prime Minister lamented, "Serbia is always an exceptional case." Kostunica said the acquittals of Naser Oric and Fatmir Limaj and the release of Ramush Haradinaj "removed any remaining trust" that Serbs had in ICTY fairness. As for comparisons with Croatia, the PM noted that Croatia had been allowed to complete more steps towards EU accession before being blocked by its failure to apprehend Ante Gotovina.

15. (C) Ambassador Williamson noted that Del Ponte had recommended equally strongly that Croatia not be engaged in the EU accession process until the Croats showed solid, verifiable evidence that Gotovina was in Spain. Kostunica repeated his belief that EU Enlargement Commissioner Olli Rehn's suspension of SAA talks in May had influenced the outcome of the Montenegro independence referendum. Still, Kostunica conceded, "there is no doubt that Mladic should be arrested and sent to The Hague. Public support for ICTY cooperation was in fact high, despite Serbs' distrust of ICTY, since Serbs want to "turn the page" and move forward on EU accession.

16. (C) Reflecting on his recent trip to Washington, Tadic said that he received a clear message from both the Secretary and the NSC that the USG wants to help Serbia "move forward" but such help is limited while Mladic remains at large. Tadic opined that Kostunica had taken a step forward with recent public calls for Mladic to be apprehended; "for the first time I am not totally alone." While "it is outside my Constitutional duties," Tadic promised to look into BIA-VBA

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cooperation issues and discuss Vukcevic's access to intelligence files with Kostunica. Tadic called Bosnia-Herzegovina President Tihic's welcoming of Nasir Oric terrible; "it allowed the security services to justify inaction on Mladic," he noted.

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Action Plan Coordinators Ljajic and Vukcevic  
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17. (C) Ljajic told Williamson that operationally the Action Plan team was focusing on two promising leads: continued surveillance of Mladic family members and information about a network of military doctors, retired and active duty, with suspected past links to Mladic. Ljajic appeared genuinely surprised about the lack of weekly reports back to the ICTY as he had seen the initial ones and understood that Vukcevic was regularly sending reports back to The Hague. On the legislation, Ljajic acknowledged that Stojkovic had blocked the legislation but noted that Deputy Prime Minister Dulic-Markovic had agreed that it should be sent directly to the Prime Minister. (Embassy Note: Ljajic confirmed to emboffs at our weekly progress meeting on 15 September that letter with legislation had been sent directly to PM; and that a report was being prepared for transmission to ICTY on or around 20 September. He also noted that the brother of Mladic's wife had been admitted to a mental institution and provided some interesting leads; this information was now being checked. End Note)

18. (C) Vukcevic told Williamson that he had made it clear to Del Ponte that he would resign if the government did not faithfully execute the Action Plan. Thus far, he felt he had a good team and was receiving a decent amount of cooperation, both within Serbia and from neighboring States. Williamson mentioned a security services cooperation meeting to occur in October, and Vukcevic expressed support for the attendance of FYR Macedonia, citing Mladic's connections there. On domestic cooperation, Vukcevic presented a positive picture of security service cooperation, stating that much improvement has been made, despite initial difficulties. He added that the lack of legislation on files and jurisdiction

regarding the support network was a serious problem, effectively hampering efforts to locate Mladic. He acknowledged that the progress reports were his responsibility but, he noted, the important thing was substance not the number of reports. Vukcevic agreed that efforts on the Action Plan were undermined by a lack of a clear media strategy. (Embassy note: Vukcevic told us subsequently, that he is currently finalizing his next report, which will focus on actual interviews and operations, and not include any assessment of the usefulness of the information. He says he will leave the analysis to the ICTY experts. End Note)

¶9. (C) Amb. Williamson introduced S/WCI,s FSN regional liaison to the Action Plan Coordinators. He offered the FSN,s assistance in the case that Serbia was encountering problems with cooperation from other countries, security services or prosecutors. The coordinators both noted strained relations with their UNMIK counterparts in particular.

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Comment

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¶10. (C) We continue to be underwhelmed by implementation of the Action Plan thus far. Ljajic continues to suggest in his meetings with the Embassy that the &new interagency effort8 in the GoS has not resolved the rivalry between the MINT and the MoD (he clearly is siding with the BIA). End Comment

¶11. (U) This report will serve as the Embassy,s weekly (9/11-9/15) update on the action plan. We will continue our weekly Monday reports on September 25.  
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